

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

JOE PENA,

Plaintiff,

v.

No. CV 09-1015 CG

MICHAEL J. ASTRUE,  
Commissioner of Social Security,

Defendant.

**FINAL ORDER**

Pursuant to the *Memorandum Opinion and Order* (Doc. 23) entered concurrently herewith, the Court enters this *Final Order* pursuant to FED. R. CIV. P. 58, **GRANTING** Plaintiff's *Motion to Reverse or Remand Administrative Agency Decision* (Doc. 18) and **REMANDING** this case to the Commissioner of Social Security for further proceedings consistent with the *Memorandum Opinion and Order* (Doc. 23).

**IT IS SO ORDERED.**

A handwritten signature in black ink, appearing to read 'Carmen E. Garza', with a horizontal line extending to the right.

THE HONORABLE CARMEN E. GARZA  
UNITED STATES MAGISTRATE JUDGE  
Presiding by consent